

IN THE CLAIMS:

Please amend claims 1-23 as follows:

1. (Currently amended) A replication ~~Replication~~ competent recombinant adenovirus, being capable to replicate and having lytic capacity in target cells, ~~the said cells being hampered in the~~ a p53 dependent apoptosis pathway, the virus being a conditionally replicating adenovirus and comprising in the genome thereof, the coding sequence of at least one restoring factor functional in restoring the p53 apoptosis pathway in ~~the said~~ target cells, operably linked to one or more expression control sequences, functional in ~~the said~~ target cells.
2. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 1, wherein the virus is a human adenovirus, ~~preferably of serotype 5.~~
3. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 1 ~~or 2~~, wherein expression of at least one essential early adenovirus gene is controlled by a tumor-specific promoter.
4. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 1, ~~any of the preceding claims~~, wherein the adenovirus is a heterologously trans-complemented adenovirus.
5. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 1, ~~any of the preceding claims~~, wherein the virus genome comprises at least the gene encoding the adenovirus E1B-55kDa protein or a functional analogue or derivative thereof.
6. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 5, wherein the virus genome further comprises the gene encoding the adenovirus E1B-19kDa protein or a functional analogue or derivative thereof.

7. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 5 ~~or 6~~, wherein the virus genome comprises one or more, ~~preferably all~~, of the genes of the adenovirus E4 region encoding E4 proteins or functional analogues or derivatives thereof.

8. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 7, wherein the virus genome comprises at least the gene encoding the adenovirus E4orf6 protein or a functional analogue or derivative thereof.

9. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 1, ~~any of the preceding claims~~, wherein the adenovirus carries a mutation in the a E1A region encompassing at least a part of the pRb-binding CR2 domain of E1A, ~~preferably a deletion encompassing amino acids 122 to 129 (LTCHEAGF) of E1A.~~

10. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 1, ~~any of the preceding claims~~, wherein the restoring factor is chosen from the group[,]
consisting of p53, p63, p73, BAX, BAK, BOK/Mtd, BCL-X_s, Noxa/APR, PIDD, p53AIP1, PUMA, KILLER/DR5, Apaf-1, PIG, BID, tBID, BAD, HRK, Bik/Nbk, BLK, mda-7, p14ARF or [a] functional variants, analogues ~~variant, analogue or derivatives~~ derivative thereof.

11. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 10, wherein the restoring factor is p53 protein, ~~preferably human p53~~, or a functional analogue or derivative thereof.

12. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 11, wherein the protein lacks a functional binding domain for ~~the~~ a human MDM2 protein.

13. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 11 ~~or 12~~, wherein the protein is a functional derivative of human p53 with mutated amino acids Leu-14 and Phe-19.

14. (Currently amended) The recombinant ~~Recombinant~~ virus according to claim 1, ~~any of the preceding claims~~, wherein the target cell is a human cell, ~~preferably~~ chosen from the group[,] consisting of cancer cells, arthritic cells, hyperproliferative vascular smooth muscle cells and cells infected with a virus other than ~~the~~ said recombinant virus.

15. (Currently amended) Use of the recombinant virus according to claim 1 ~~any of the claims 1-14~~ in a medicament.

16. (Currently amended) Use according to claim 15 for the manufacture of a medicament for suppressing uncontrolled cell growth, ~~in particular malignant cell growth~~.

17. (Currently amended) A method ~~Method~~ for lysing target cells hampered in the p53 dependent apoptosis pathway, comprising the steps of:

- infecting the said target cells with a virus[,] having lytic capacity in ~~the~~ said target cells; and [,]
- replicating ~~the~~ said virus within ~~the~~ said target cells, further comprising the step of providing, in the virus genome, the coding sequence of at least one restoring factor[,] functional in restoring the p53 dependent apoptosis pathway, ~~the~~ said coding sequence being capable to be expressed in the target cells upon infection thereof by ~~the~~ said virus.

18. (Currently amended) The method ~~Method~~ according to claim 17, wherein the target cells are infected by a recombinant virus according to claim 1. ~~any of the claims 1-14~~.

19. (Currently amended) The method ~~Method~~ according to claim 17 ~~or 18~~, further comprising the step of subjecting said target cells to at least one of irradiation and ~~and/or~~ a toxic chemical compound.

20. (Currently amended) The method ~~Method~~ according to claim 17, ~~any of the claims 17-19~~, wherein said target cells are present in an animal body, ~~preferably a human body~~.

21. (Currently amended) A method ~~Method~~ for treatment of a subject body suffering from a condition involving body cells hampered in the a p53 dependent apoptosis pathway, comprising the step of administering to the said subject body an effective amount of a replication competent ~~the recombinant virus according to any of the claims 1-14.~~ adenovirus being capable to replicate and having lytic capacity in target cells, said target cells being hampered in a p53 dependent apoptosis pathway, the virus being a conditionally replicating adenovirus and comprising in the genome thereof, the coding sequence of at least one restoring factor functional in restoring the p53 apoptosis pathway in said target cells, operably linked to one or more expression control sequences, functional in said target cells.

22. (Currently amended) The method ~~Method~~ according to claim 21, wherein the condition is associated with uncontrolled cell growth.

23. (Currently amended) The method ~~Method~~ according to claim 22, wherein the condition is chosen from the group[,] consisting of cancer, arthritis, ~~in particular rheumatoid arthritis, or~~ and vascular smooth muscle cell hyperplasia.

24. (New) The recombinant virus according to claim 2, wherein the human adenovirus comprises serotype 5.

25. (New) The recombinant virus according to claim 9, wherein the mutation comprises a deletion encompassing amino acids 122-129 (LTCHEAGF) of E1A.